

Senate File 178 - Introduced

SENATE FILE 178
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 21)

A BILL FOR

1 An Act relating to restrictions on the receipt by certain
2 felons of certain insurance proceeds and other benefits.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 633.535, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. *a.* A named beneficiary of a bond,
4 life insurance policy, or any other contractual arrangement
5 convicted of a felony referenced in paragraph “d” that was
6 perpetrated against the principal obligee or person upon
7 whose life the policy is issued or whose death generates the
8 benefits under any other contractual arrangement, in the six
9 months immediately prior to the obligee’s or person’s death, is
10 not entitled to any benefit under the bond, policy, or other
11 contractual arrangement.

12 *b.* The procedure set out in section 633.536 applies and
13 the benefits become payable as though the convicted obligee or
14 person had predeceased the decedent.

15 *c.* However, a principal obligee or person upon whose life
16 the policy is issued or whose death generates the benefits
17 under any other contractual arrangement, in the six months
18 immediately prior to the obligee’s or person’s death, may
19 affirm by a signed, notarized affidavit that the beneficiary
20 should receive any benefit under the bond, policy, or other
21 contractual arrangement despite a felony conviction referenced
22 in this subsection.

23 *d.* This subsection applies to a conviction for any of the
24 following felonies:

- 25 (1) Any felony contained in chapter 707.
26 (2) Any felony contained in chapter 708.
27 (3) Any felony contained in chapter 709.
28 (4) Any felony contained in chapter 710.

29 **EXPLANATION**

30 The inclusion of this explanation does not constitute agreement with
31 the explanation’s substance by the members of the general assembly.

32 This bill relates to restrictions on the receipt by certain
33 felons of certain insurance proceeds and other benefits.

34 The bill provides that a person convicted of certain
35 felonies perpetrated against a decedent in the six months

1 immediately prior to the decedent's death is not entitled,
2 as a named beneficiary of a bond, life insurance policy,
3 or any other contractual arrangement, to any benefit under
4 the bond, policy, or other contractual arrangement, and the
5 benefits become payable as though the person causing death
6 had predeceased the decedent. However, the bill allows such
7 a decedent, in the six months prior to death, to affirm
8 by affidavit that the named beneficiary should receive the
9 described benefit despite the felony conviction.

10 The bill applies to felonies in the following Code chapters:
11 707 (homicide and related crimes), 708 (assault and related
12 offenses), 709 (sexual abuse and related sexual offenses), and
13 710 (kidnapping and related offenses).